

Lawrence S. Lustberg, Esq. (ID#023131983)

Lauren James-Weir, Esq. (ID#025202007)

GIBBONS P.C.

One Gateway Center

Newark, New Jersey 07102

Telephone: 973-596-4731

Email: llustberg@gibbonslaw.com

Telephone: 973-596-4861

Email: ljames-weir@gibbonslaw.com

Patrick J. Carome, Esq. (*pro hac vice*)

Ari Holtzblatt, Esq. (*pro hac vice*)

WILMER CUTLER PICKERING

HALE AND DORR LLP

1875 Pennsylvania Avenue

Washington, D.C. 20006

Telephone: (202) 663-6000

Email: patrick.carome@wilmerhale.com

ari.holtzblatt@wilmerhale.com

Attorneys for Defendants Twitter, Inc. and Vijaya Gadde

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DANIEL D'AMBLY, ET AL.,

Plaintiffs,

vs.

CHRISTIAN EXOO a/k/a
ANTIFASH GORDON, ET AL.,

Defendants.

Civil Action No: 2:20-cv-12880-JMV-JSA

Hon. John M. Vazquez,

United States District Judge

**DEFENDANTS TWITTER, INC. AND
VIJAYA GADDE'S NOTICE OF
MOTION TO DISMISS WITH
PREJUDICE COUNTS IV, V, AND VII
OF PLAINTIFFS' SECOND AMENDED
COMPLAINT AND CROSS-CLAIMS
FILED BY CO-DEFENDANT COHEN,
WEISS AND SIMON, LLP**

ORAL ARGUMENT REQUESTED

Motion Date: February 7, 2022

To:

PATRICK TRAINOR, ESQ. Law Office of Patrick Trainor, Esq., LLC 848 Paterson Avenue East Rutherford, NJ 07073 Telephone: 201-777-3327 Email: pt@ptesq.com <i>Attorney for Plaintiffs</i>	MONICA C. BARRETT, ESQ. Bond Schoeneck & King, PLLC 600 Third Avenue, 22nd Floor New York, NY 10009 Telephone: 646-253-2314 Email: mbarrett@bsk.com <i>Attorneys for Defendant, St. Lawrence University</i>
LINDSAY FAYE DITLOW, ESQ. McDermott Will & Emery One Vanderbilt Avenue New York, NY 10017 Telephone: 212-547-5425 Email: Lditlow@mwe.com <i>Attorneys for Tribune Publishing Company and New York Daily News</i>	CHRISTOPHER MARLBOROUGH, ESQ. The Marlborough Law Firm, P.C. 445 Broad Hollow Road, Suite 400 Melville, NY 11747 Telephone: 212-991-8960 Email: chris@marlboroughlawfirm.com <i>Attorneys for Christian Exoo</i>
MICHAEL J. CANNING, ESQ. Giordano, Halleran & Ciesla, P.C. 125 Half Mile Road, Suite 300 Red Bank, NJ 07701 Telephone: (732) 741-3900 Email: mcanning@ghclaw.com <i>Attorneys for Defendants, Cohen, Weiss and Simon, LLP</i>	RICHARD TORRES, ESQ. The Law Office of Richard Torres 63 Tooker Avenue Springfield, NJ 07081 Telephone: 347-742-5362 Email: richardtorresdna@gmail.com <i>Attorneys for Christian Exoo</i>

PLEASE TAKE NOTICE that on February 7, 2022, or on a date and time to be set by the Court, Defendants Twitter, Inc. and Vijaya Gadde (“Defendants”), by and through their attorneys, Gibbons P.C. (by Lawrence S. Lustberg, Esq. and Lauren James-Weir, Esq.) and Wilmer Cutler Pickering Hale and Dorr LLP (by

Patrick J. Carome, Esq. and Ari Holtzblatt, Esq) (*pro hac vice*), shall move before the United States District Court for the District of New Jersey, located at Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07102, for the entry of an Order pursuant to F.R.C.P. 12(b)(6) dismissing with prejudice Counts IV, V, and VII of Plaintiffs' Second Amended Complaint and the cross-claims previously filed by Co-Defendant Cohen, Weiss and Simon, LLP.

PLEASE TAKE FURTHER NOTICE that in support of the within Motion, Defendants shall rely upon the Memorandum and Declaration of Ari Holtzblatt, Esq. submitted herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is also submitted herewith.

Dated: January 14, 2022

By: /s/ **Lawrence S. Lustberg**
Lawrence S. Lustberg, Esq.(ID#023131983)
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One Gateway Center
Newark, New Jersey 07102
Telephone: 973-596-4731
Email: llustberg@gibbonslaw.com

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1875 Pennsylvania Avenue

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Attorneys for Defendants

Twitter, Inc. and Vijaya Gadde